

**House File 387 - Introduced**

HOUSE FILE 387

BY R. OLSON

**A BILL FOR**

1 An Act relating to the assessment of a fine in a first offense  
2 operating-while-intoxicated case.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321J.2, subsection 3, paragraph c,  
2 unnumbered paragraph 1, Code 2013, is amended to read as  
3 follows:

4 Assessment of a fine of one thousand two hundred fifty  
5 dollars. However, ~~in the discretion of the court, if no~~  
6 ~~personal or property injury has resulted from the defendant's~~  
7 ~~actions,~~ the court ~~may~~ shall waive up to six hundred  
8 twenty-five dollars of the fine when the defendant presents to  
9 the court at the end of the minimum period of ineligibility a  
10 temporary restricted license issued pursuant to section 321J.20  
11 within ninety days of the date of sentencing.

12 EXPLANATION

13 This bill amends Code section 321J.2 relating to a first  
14 offense operating-while-intoxicated (OWI) offense. Current  
15 law requires the court to assess a fine of \$1,250 against a  
16 defendant convicted of a first offense OWI. However, in the  
17 discretion of the court, if no personal or property injury  
18 resulted from the defendant's actions, the court has the  
19 discretion to waive up to \$625 of the fine when the defendant  
20 presents to the court at the end of the applicable minimum  
21 period of ineligibility a temporary restricted license. The  
22 bill requires the court to reduce the defendant's fine to  
23 \$625 when the defendant presents to the court at the end of  
24 the applicable minimum period of ineligibility a temporary  
25 restricted license within 90 days of the date of sentencing.